

INTERNATIONAL SEARCH REPORT

Rec'd PCT/ISA/210 18 OCT 2004
PCT/CA 03/00842

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K31/4166 A61P27/06 A61P19/10 C07D403/06 C07D403/12
C07D233/32

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07D A61K A61P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, CHEM ABS Data, BEILSTEIN Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, X	WO 03 009872 A (MARUYAMA TAKAYUKI ;ONO PHARMACEUTICAL CO (JP); KAMBE TOHRU (JP); M) 6 February 2003 (2003-02-06) abstract; claim 12 ---	1-32
A	PATENT ABSTRACTS OF JAPAN vol. 005, no. 020 (C-042), 6 February 1981 (1981-02-06) & JP 55 145669 A (TANABE SEIYAKU CO LTD), 13 November 1980 (1980-11-13) abstract ---	1-32
A	WO 02 24647 A (MARUYAMA TAKAYUKI ;ONO PHARMACEUTICAL CO (JP); KOBAYASHI KAORU (JP) 28 March 2002 (2002-03-28) cited in the application abstract; claim 1 ---	1-32
	-/-	

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the International filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the International search

Date of mailing of the International search report

25 August 2003

08/09/2003

Name and mailing address of the ISA

Authorized officer

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Johnson, C

INTERNATIONAL SEARCH REPORT

International Application No
PCT/CA 03/00842

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 02 42268 A (PFIZER PROD INC ;CAMERON KIMBERLY O KEEFE (US); LEFKER BRUCE ALLEN) 30 May 2002 (2002-05-30) cited in the application claim 1 -----	1-32

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 1, 14, 15 (all part)

Present claims 1, 14, 15 relate to products and methods defined by reference to a desirable characteristic or property, namely prodrugs. The claims cover all products and methods having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only a very limited number of such products and methods. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the product/method by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the products of formula I and methods using compounds of formula I, their pharmaceutically acceptable salts, enantiomers, diastereomers and mixtures thereof.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/CA 03/00842

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:

Although claims 15-27 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:

see FURTHER INFORMATION sheet PCT/ISA/210
3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/CA 03/00842

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
WO 03009872	A	06-02-2003	WO	03009872 A1	06-02-2003
JP 55145669	A	13-11-1980	NONE		
WO 0224647	A	28-03-2002	AU WO	9025001 A 0224647 A1	02-04-2002 28-03-2002
WO 0242268	A	30-05-2002	AU CA WO US US	1084802 A 2429850 A1 0242268 A2 2003149086 A1 2002065308 A1	03-06-2002 30-05-2002 30-05-2002 07-08-2003 30-05-2002